

JUDGE MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

MICHAEL KANTOR, an individual; SLM HOLDINGS LIMITED, LLC, a Nevada limited liability company; 3WISE VENTURES, INC., a Delaware corporation; and CABBAGE TREE INVESTMENTS, LLC, a Washington limited liability company,

Plaintiffs,

v.

BIG TIP, INC., a Washington corporation; WHOTOO, INC., a Washington corporation; DEMANDBASE, INC., a California corporation; GEORGE BREMER, an individual; MATT ROWLEN, an individual; and DOES 1 to 20,

Defendants.

NO. 2:15-cv-01871-MJP

DEFENDANTS' MOTION FOR LEAVE TO FILE JOINT MOTION FOR JUDGMENT ON THE PLEADINGS

NOTE ON MOTION CALENDAR:

DECEMBER 18, 2017  
(Same Day Motion)

Defendants Demandbase, Inc. ("Demandbase"), WhoToo Inc. ("WhoToo"), BigTip, Inc. ("BigTip") and Matt Rowlen ("Rowlen") (collectively, "Defendants") respectfully request leave of court to hear their joint Motion for Judgment on the Pleadings. Defendants bring this motion in an abundance of caution under LCR 7(e)(3), which states, "[a]bsent leave of court, a party must not file

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PLEADINGS  
(2:15-cv-01871-MJP)  
MPBA{19800/002.003/01540782-1}

MONTGOMERY PURDUE BLANKINSHIP & AUSTIN PLLC  
ATTORNEYS AT LAW  
5500 COLUMBIA CENTER  
701 FIFTH AVENUE  
SEATTLE, WA 98104-7096  
(206) 682-7090 TEL  
(206) 625-9534 FAX

1 contemporaneous dispositive motions, each one directed toward a discrete issue or  
2 claim." Defendants will file a Joint Motion for Judgment on the Pleadings seeking  
3 dismissal of portions of the Second Amended Complaint, as this request for relief  
4 was common to all Defendants. However, because Defendants have differing  
5 defenses and counterclaims, Defendants will also file separate motions for summary  
6 judgment. Rather than each of the Defendants including a Motion for Judgment on  
7 the Pleadings within their respective dispositive motions—which would have created  
8 duplicative and unnecessary filings with the Court—Defendants request relief to file  
9 one joint motion to preserve judicial economy.

10 DATED this 18th day of December, 2017.

11 MONTGOMERY PURDUE BLANKINSHIP SPIRO HARRISON  
12 & AUSTIN PLLC

13 By: s/ Benjamin I. VandenBerghe

14 Benjamin I. VandenBerghe  
15 WA State Bar No. 35477  
16 Nathaniel H. Somers,  
17 WA State Bar No. 46554  
18 701 Fifth Ave., Suite 5500  
19 Seattle, WA 98104  
20 Phone: 206-682-7090  
21 Fax: 206-625-9534  
22 Email: biv@mpba.com  
23 Email: nsomers@mpba.com  
24 Attorneys for Demandbase, Inc.

By: s/ Hozaiifa Cassubhai

Hozaiifa Cassubhai  
WA State Bar No. 39512  
500 Union St., Suite 800  
Seattle, WA 98101  
Phone: 206-899-1996  
Email:  
hcassubhai@spiroharrison.com  
Attorneys for Matt Rowlen and  
BigTip, Inc.

25 THENELL LAW GROUP

26 By: s/ Anne Cohen

Anne Cohen  
WA State Bar No. 41183  
12909 SW 68<sup>th</sup> Pkwy, Suite 320  
Portland, OR 97223  
Phone: 503-372-6450  
Email: annec@thenelllawgroup.com  
Attorneys for WhoToo Inc. and Matt  
Rowlen


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I. ORDER

IT IS SO ORDERED.

Dated this 19<sup>th</sup> day of December, 2017.

  
The Honorable Marsha J. Pechman, United  
States District Court Judge

Presented by:

MONTGOMERY PURDUE BLANKINSHIP  
& AUSTIN PLLC

By: /s/ Benjamin I. VandenBerghe  
Benjamin I. VandenBerghe  
WA State Bar No. 35477  
Nathaniel H. Somers  
WA State Bar No. 46554  
701 Fifth Ave., Suite 5500  
Seattle, WA 98104  
Phone: 206-682-7090  
Fax: 206-625-9534  
Email: biv@mpba.com  
Email: nsomers@mpba.com  
*Attorneys for Defendant Demandbase, Inc.*

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DECLARATION OF SERVICE

I hereby certify that on 18<sup>th</sup> day of December, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Andrew R. Escobar  
David I. Freeburg  
DLA Piper US LLP  
701 Fifth Ave., Suite 7000  
Seattle, WA 98104  
206-839-4828  
[Andrew.escobar@dlapiper.com](mailto:Andrew.escobar@dlapiper.com)  
[David.freeburg@dlapiper.com](mailto:David.freeburg@dlapiper.com)  
*Attorneys for Plaintiffs*

Paul W. Chandler  
Chandler Law Firm  
6080 Center Drive Suite 600  
Los Angeles, CA 90045  
310-242-5850  
[chandlerlaw@gmail.com](mailto:chandlerlaw@gmail.com)  
*Pro Hac Vice Attorney for Plaintiffs*

Hozaiifa Y. Cassubhai  
Spiro Harrison  
500 Union Street, Suite 800  
Seattle, WA 98101  
206-899-1996  
Email: [hcassubhai@spiroharrison.com](mailto:hcassubhai@spiroharrison.com)  
*Attorney for Big Tip, Inc. and Matt Rowlen*

Anne Cohen  
Thenell Law Group, P.C.  
12909 SW 68<sup>th</sup> Parkway, Suite 320  
Portland, OR 97223  
503-372-6450  
[annec@thenelllawgroup.com](mailto:annec@thenelllawgroup.com)  
*Attorney for Defendant Whotoo, Inc. and Matt Rowlen*

By: ☒ By Electronic Service – CM/ECF

DATED this 18<sup>th</sup> day of December, 2017, at Seattle, Washington.

s/ Nate Somers  
Nate Somers, WSBA #46554  
701 Fifth Ave., Suite 5500  
Seattle, WA 98104  
Phone: 206-682-7090  
Fax: 206-625-9534  
Email: [nsomers@mpba.com](mailto:nsomers@mpba.com)  
*Attorneys for Defendant*

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